

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - -	x	
	:	
UNITED STATES OF AMERICA	:	<b>Affirmation in Support</b>
	:	<b>of Application for</b>
- v. -	:	<b>Order of Continuance</b>
	:	
GARRETT KELSEY,	:	19 Mag. 6651
	:	
Defendant.	:	
	:	
- - - - -	x	
State of New York	)	
County of New York	: ss.:	
Southern District of New York	)	

Stephanie Lake, pursuant to Title 28, United States Code,  
Section 1746, hereby declares under penalty of perjury:

1. I am an Assistant United States Attorney in the Office of  
Geoffrey S. Berman, United States Attorney for the Southern  
District of New York. I submit this affirmation in support of an  
application for an order of continuance of the time within which  
an indictment or information would otherwise have to be filed,  
pursuant to 18 U.S.C. § 3161(h)(7)(A).

2. The defendant was charged in a complaint dated July 18,  
2019 with violations of 18 U.S.C. § 875(c). The defendant was  
arrested in Cedar Rapids, Iowa on July 23, 2019, and was presented  
before a magistrate judge in Cedar Rapids on July 24, 2019. On  
August 7, 2019, the defendant was presented before a magistrate  
judge in this District and was bailed. At the presentment, Andrew

Dalack, Esq., represented the defendant and waived the preliminary hearing date until the 21st day from presentment in this District.


3. Pursuant to Rule 5.1 of the Federal Rules of Criminal Procedure, the deadline for a preliminary hearing in this matter is 21 days from the date of the initial presentment. Accordingly, the Government has until August 28, 2019 to charge the defendant by indictment or information.

4. Mr. Dalack and I have had discussions regarding a possible disposition of this case beginning on or about August 7, 2019. The foregoing negotiations have not been completed and the parties plan to continue our discussions, but do not anticipate a resolution before the deadline under Rule 5.1 expires on August 28, 2019.

5. Therefore, the Government is requesting a 30-day continuance until September 27, 2019, to continue the foregoing discussions and reach a disposition of this matter. On or about August 24, 2019, I communicated with defense counsel and he specifically consented to this request.

6. For the reasons stated above, the ends of justice served by the granting of the requested continuance outweigh the best interests of the public and defendant in a speedy trial.

Dated: New York, New York  
August 26, 2019

  
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Stephanie Lake  
Assistant United States Attorney  
Southern District of New York  
212-637-1066